

Members:

Sen. Robert Meeks, Chairperson
Sen. Becky Skillman
Sen. Rose Ann Antich
Sen. Allie Craycraft
Rep. David Crooks
Rep. Dan Stevenson
Rep. Robert Alderman
Rep. John Ulmer



RAIL CORRIDOR SAFETY COMMITTEE

Legislative Services Agency

200 West Washington Street, Suite 301

Indianapolis, Indiana 46204-2789

Tel: (317) 232-9588 Fax: (317) 232-2554

LSA Staff:

Anne Haley, Attorney for the Committee
James Sperlik, Fiscal Analyst for the Committee

Authority: P. L. 87-1997

MEETING MINUTES

Meeting Date: August 13, 1998
Meeting Time: 10:00 A.M.
Meeting Place: State House, 200 W. Washington St.,
Room 233
Meeting City: Indianapolis, Indiana
Meeting Number: 1

Members Present: Sen. Robert Meeks; Sen. Allie Craycraft; Rep. David Crooks;
Rep. Dan Stevenson; Rep. Robert Alderman.

Members Absent: Sen. Becky Skillman; Sen. Rose Ann Antich; Rep. John Ulmer.

Sen. Meeks called the meeting to order at 10:16 a.m.. After introducing the Committee members, Sen. Meeks discussed the charge of the Committee contained in PL. 335-1997.

The Committee received testimony on CSX's upgrade of crossings in northern Indiana. Mr. Steve Watson, CSX, discussed CSX's acquisition of Conrail. Mr. Hugh Hopkins, CSX, gave a slide presentation of CSX's upgrade of the northern rail corridor. Mr. Hopkins indicated that CSX's vision is to create a fluid rail corridor that extends from Chicago to the East Coast. Mr. Hopkins discussed the various improvements made along the corridor including the installation and repair of track and signals. The Committee discussed the Rail Corridor Safety Agreement between CSX and InDOT.¹ Mr. Ron Thomas, Indiana Department of Transportation (InDOT), indicated that InDOT would complete its diagnostic review of the corridor by the end of next week.

Mr. Lane Ralph, Assistant State Director to Senators Lugar and Coats,

¹This document is on file in the Legislative Information Center, Room 230 of the State House, Indianapolis, Indiana. The telephone number of the Legislative Information Center is (317) 232-9856, and the mailing address is 200 W. Washington St., Suite 301, Indianapolis, IN 46204-2789.

submitted information regarding a report issued by the National Transportation Safety Board (NTSB) on grade crossings and a summary of the Transportation Equity Act for the 21st Century.²

Sen. Meeks discussed the use of reflectorized tape on crossbuck posts in Ohio. Sen. Meeks indicated that he wanted a report at the next meeting on InDOT's position on the use of reflectorized tape on crossbucks in Indiana.

Mr. Jerry Hanas, Northern Indiana Commuter Transportation District (NICTD), reported to the Committee on the truck-train accident that occurred in Portage, Indiana, on June 18, 1998. Mr. Hanas described the signaling at the crossing, the crossing traffic, and the lack of waiting space between the tracks to accommodate long trucks known as "Michigan trains". Mr. Hanas discussed how expanding the bridge to the Port Authority and creating a frontage road connecting the steel mills in the authority would have a positive effect. Mr. Mike Scime, Conrail, indicated that the steel mills have expressed an interest in improving the frontage road if the bridge is made adequate.

Mr. Dave Blackmore, Federal Railroad Administration (FRA), indicated that the FRA has asked InDOT for new signs, lights and a flagman at the crossing until the crossing can be closed. Sen. Meeks asked Mr. Blackmore to submit the FRA's report on the crossing to the Legislative Services Agency and InDOT.

Mr. Steve Hull, InDOT, reported to the Committee on the status of the Clark Road crossing in Gary, Indiana. Mr. Hull discussed the difficulties with finding a solution to the problem of the Clark Road crossing. Mr. Hull indicated that as a short term solution, InDOT is discussing an advanced signal system at this crossing with EJ&E, CSX, and Conrail. He indicated that building a grade separation is a long term solution that would cost up to \$12 million and would be the funding responsibility of Gary, Indiana.

Mr. Ron Thomas, InDOT reported to the Committee on the 1998 Passive Grade Crossing Improvement Project, which was funded by a \$250,000 appropriation in 1997 and a \$250,000 appropriation in 1998.³ Mr. Thomas indicated that while none of the money has yet been expended from the appropriations, applications have been received and the program is proceeding. Mr. Larry Goode, InDOT, explained the time required to implement the program, including helping local units complete the application paperwork. Sen. Meeks asked InDOT to update the Committee at the next meeting on the expenditure of the appropriation.

Mr. Steve Hull addressed the Committee concerning the priority list of railroad crossings that are being repaired and the crossings that are selected for repair.⁴ Mr. Hull indicated that two-thirds of the projects on the 1995 list of projects have been completed or are authorized for construction. Mr. Hull explained to the Committee that of the funds spent for rail crossing improvements, 90% of the funds are federal funds, and 10% consists of local match money. He indicated that 98% of the projects on the

²A copy of this report is on file with the Legislative Information Center. See footnote 1.

³ A copy of this report is on file with the Legislative Information Center. See footnote 1.

⁴The list of project selections for 1995-1998 is on file with the Legislative information Center. See footnote 1.

list are local jurisdiction projects. Mr. Hull discussed how driver error persists in being the primary cause of car-train accidents in Indiana.⁵

The Committee discussed funds allocated to Indiana as a result of the Transportation Equity Act for the 21st Century. Arthur Fendrick, Federal Highway Administration (FHWA), indicated that while Indiana's highway funds increased by \$617 million under the new federal funding formula, the amount of funds dedicated to rail safety remained unchanged, approximately \$4.9 million. Mr. Fendrick and Mr. Rick Whitney of InDOT indicated that InDOT does not restrict its rail expenditures to the dedicated rail funds and uses other highway funds for rail projects.⁶

The Committee discussed the funding needs of the short line railroads. John Secor, Louisville & Indiana Railroad and the Indiana Railroad Transportation Group (IRTG) discussed the struggle of short line railroads to make capital improvements in order to remain competitive and to ensure public safety. Mr. Secor made two suggestions to meet funding needs: (1) make funds available to short lines under the current state programs; and (2) implement annual service fees.⁷

Mr. Gerald Thomas, Hoosier Southern Railroad, discussed with the Committee the need to increase the funding in the Industrial Rail Service Fund.⁸ Mr. Thomas discussed the need and the cost of upgrading track. He projected approximately \$20 million would be needed by short line railroads over the next 10 years. He indicated that the annual service fee would come from the current sales tax. He would like to see \$3 to \$3.5 million in grants or low interest loans per year. Mr. Lane Ralph, Assistant State Director to Senators Lugar and Coats, informed the Committee of a program that the federal government stopped funding that benefitted the short line railroads. Sen. Meeks asked Mr. Ralph to provide the Committee with a report on the future of this program at the next meeting.

Ms. Cathy Hale, Madison Railroad, discussed the problems with short line funding.⁹ Ms. Hale indicated that the Industrial Development Grant Fund limits funding to spurs and sidings and the Industrial Development Loan Program omits rail as an eligible participant. She indicated that the Industrial Rail Service Fund is limited to \$1.3 million in funding per year. Sen. Meeks indicated that counsel would draft legislation for the next meeting to address the issue of the Industrial Development Grant Fund. Mr. Tom Fruechtenicht distributed to the Committee a handout concerning short line

⁵ Mr. Hull distributed a handout which is on file at the Legislative Information Center. See footnote 1.

⁶A graph indicating safety and railroad funds available and spent by federal fiscal year is on file in the Legislative Information Center. See footnote 1.

⁷ Mr. Secor's testimony is on file in the Legislative Information Center. See footnote 1.

⁸Mr. Thomas, testimony is on file at the Legislative Information Center. See footnote 1.

⁹ Ms. Hale's testimony is on file at the Legislative Information Center. See footnote 1.

railroads and the assistance provided in other states to short line railroads.¹⁰ Sen. Meeks indicated that he would like Mr. Fruechtenicht to report to the Committee on the use of service fees in other states.

Mr. Larry Goode, InDOT, indicated that InDOT's rules establishing criteria for the opening and closing of rail crossings pursuant to P.L. 81-1996 have been adopted.¹¹ Sen. Meeks indicated that local units should be made aware of the new law. Sen. Meeks indicated that he appreciated the efforts of Dennis Faulkenberg of InDOT and Senators Lugar and Coats in obtaining the additional highway funds for Indiana. Sen. Meeks scheduled the next meeting of the Committee for September 9, 1998 at 10:00 a.m. The meeting adjourned at 12:55 p.m.

¹⁰The handout is on file in the Legislative Information Center. See footnote 1.

¹¹A copy of the rule is on file at the Legislative Information Center. See footnote 1.